



Mail Stop Petitions  
Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 2213-1450

Application No 08/923,443

E. Shirene Willis  
Senior Petitions Attorney  
Office of Petitions

**RECEIVED**

JUN 24 2004

**OFFICE OF PETITIONS**

Peter R. Burns #10  
1 Cheffers St.  
Moonee Ponds  
Victoria 3039  
Australia

11 June 2004

As you are aware from your records, I initially applied to revive the above-identified application but the petition under 37 CFR 1.137(a) was dismissed.

On receipt of your correspondence dated May 05 2003, I read your initial advice with disappointment and put the papers back in the envelope intending to read the details over the following few days. However, the envelope along with its contents went missing and I have only now located it and read the contents fully and realize that I could apply to revive the petition under unintentional standard of CFR 1.137(b)

I must add I did not treat your advice with disrespect the circumstances of its misplacement were/are due to the circumstances in which I reside. I am legal guardian/carer for a friend who suffered a series of strokes and as a result sustained brain injuries; whilst she has recovered substantially she has almost no short-term memory. As well, her 85 year old mother who also resides at the house suffers from memory loss also and it would appear that either one of them, had placed the envelope in a safe location, knowing how important it was to me. No amount of searching proved successful in locating it and I just assumed that the only avenue open to me had been dismissed.

During this time I have continued with further R&D in relation to my SAND ANCHORS and was considering making a new application but was unsure of my position regarding this course of action.

Recently the envelope appeared from nowhere, to a prominent location the kitchen table, neither my friend, or her mother had any knowledge of its reappearance, not an unusual occurrence in the household but this has been the only time anything of this nature has happened.

Having now being made aware of unintentional standard of 37 CFR 1.137(b). I am proceeding on this course of action and I hope that the time factor will be considered as beyond my control and allow my petition to be granted.

Yours faithfully

  
Peter R. Burns

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PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor:

*PETER ROBERT BURNS*

Application No.:

*08/988443*Art Unit: *3621*Filed: *SEPT. 4, 1997*Examiner: *KANK, T.*Title: *SAND ANCHOR*Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandra, VA22313-1450  
Fax: (703) 872-9306.NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☒ Small entity-fee \$*665* (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in**

the form of \_\_\_\_\_ (identify type of reply):

- ☐
- has been filed previously on \_\_\_\_\_
- 
- ☐
- is enclosed herewith.

**B. The issue fee of \$ \_\_\_\_\_**

- ☐
- has been paid previously on \_\_\_\_\_
- 
- ☐
- is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on  
the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC  
20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

06/24/2004 AWONDAF1 00000125 08923443

01 FC:2453 665.00 OP

06/24/2004 AWONDAF1 00000126 08923443

01 FC:1999 5.00 OP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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11TH JUNE 2004  
Date

Telephone  
Number: (\_\_\_\_) \_\_\_\_\_



Signature

PETER ROBERT BURNS

Typed or printed name

1 CNEFFERS ST

Address

MOONKE ENDS VIC. 3039  
AUSTRALIA

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

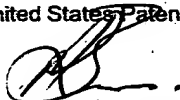
☐ Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at Fax: (703) 872-9306

11TH JUNE 2004  
Date



Signature

PETER ROBERT BURNS

Type or printed name of person signing certificate